

**THE INTERAGENCY PROCESS:
THE NEED FOR NEW LEGISLATION**

**Lt Col Edward W. Loxterkamp, USAF
Lt Col Michael F. Welch, USAF
CDR Richard M. Gomez, USN**

**Joint Forces Staff College
Joint and Combined Warfighting School-Senior
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**Faculty Adviser: COL Gross
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THE INTERAGENCY PROCESS: THE NEED FOR NEW LEGISLATION

[W]ar is a continuation of political intercourse, with the addition of other means...war in itself does not suspend political intercourse or change it into something entirely different... war cannot be divorced from political life; and whenever this occurs... the many links that connect the two elements are destroyed and we are left with something pointless and devoid of sense.¹

- Carl Von Clausewitz

Introduction

The Interagency Process (IAP), formally established in 1947, is in need of major overhaul. The present process for directing national strategic policy is open for interpretation by the executive branch, which has led to ineffective interagency proceedings, redundancy, and at times conflicting policy. As the nation prepares for the future, it is imperative that the IAP be better codified and formalized to enhance national strength and security. Over the past century and through many conflicts, the role of the U.S. military has changed from being a self-defense force to being a global force focused on a commitment to world peace and democracy. The evolution of the Services into a joint, unified fighting machine is a fascinating study of overcoming personalities, almost fanatical parochialism, and much debate on what is best for the nation.² The evolution of democratic principals and a global military presence makes it essential that the leaders of organizations involved in political and military intercourse fully recognize and understand the role of all departments and agencies of the U.S. Government as well as nongovernmental organizations (NGOs) and multinational organizations.

The IAP applied during military contingency operations has been a topic of discussion and debate since its inception. Many studies have discussed the shortfalls of the IAP, and each administration has struggled to recognize and make use of lessons from previous conflicts. The IAP is a complicated process that must be fully understood and effectively executed to ensure

positive conflict termination and transition to peace. The current process is the responsibility of the President and the National Security Council; however, the track record for managing a successful process has been marginal at best due primarily to a lack of accountability. The IAP structure provides a degree of executive privilege that sets it apart from the legislative branch, but weak or misplaced accountability erodes the IAP foundation. The result is often a process that lacks unity of command and undermines unity of effort. In addition, the current process is devoid of a long-standing organization that would facilitate standardization throughout changes in executive administrations. A change in legislation to redirect the IAP, including designating lead agencies for planning and execution of specific phases during operations, is needed for the U.S. Government to effectively reach its desired end states in future operations.

The model of the defense reorganization is a positive example of how legislative change can produce beneficial results in meeting the strategic needs of the nation. The military forces struggled to accomplish joint unity until mandated by Congressional legislation in the Goldwater-Nichols Reorganization Act of 1986. As the military was forced into joint integration, and has had to answer to Congress to verify compliance, perhaps the time has come for legislation mandating a solid, stable, and accountable IAP. Particularly important in the interagency process are conflict transition and termination, and the need to make the future IAP more accountable and therefore more likely to achieve an end state supporting the national interest.

Interagency Process Historical Perspective

The IAP has recently come under attack by many citing it as a major reason for the less than effective operations, most notably Operation IRAQI FREEDOM (OIF). According to Anthony Cordesman, a Middle East military expert at the Center for Strategic and International Studies (CSIS), the “Failure must be placed at the level of the NSC [National Security Council]

and the president [sic].” He also says, “We have to understand that it was the function of the NSC to insure that the interagency process worked.”³ For the IAP to function effectively to support the national interests in the future, it is necessary to find the root cause of problems within the process and take appropriate actions to correct them. A thorough review and analysis of the NSC structure is required to assess the authority vested in the executive branch in directing interagency interaction, and doing so may reveal national security policy shortfalls.

The National Security Act of July 26, 1947 (PL 235 – 61 Stat. 496; U.S.C. 402),⁴ amended by the National Security Act of 1949 (63 Stat. 496; U.S.C. 401 et seq.),⁵ created the National Security Council under the chairmanship of the President, with the Secretaries of State and Defense as its key members. The NSC mission is to coordinate foreign and defense policy, and to reconcile diplomatic and military commitments and requirements. These major legislative actions also established the Secretary of Defense, the Central Intelligence Agency, a National Military Establishment, and a National Security Resources Board. The NSC became the means by which each administration could formulate foreign policy and the means by which the Government Interagency views were coordinated.⁶ Executive privilege was the intent of the security act, and perhaps is the reason that legislation regarding the NSC has not changed. Since the NSC was chartered each President has implemented the counsel using different approaches; therefore the function of the NSC has seen continual long-term change or an ebb and flow of responsibility.

The President has used various methods to establish and execute foreign policy using the NSC to greater or lesser degrees. Through the various legislative changes of the 1940s, an organization and process has been legislated by which the IAP should perform; however, the process does not hold anyone accountable, and the legislation is open to interpretation by the execu-

tive branch, therefore prone to be ineffective. Accountability and responsibility need to be specified. The actual language of the National Security Act of 1947 states:

The **function** of the Council [NSC] shall be to **advise the President** with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.⁷

The operative word is “advise.” The NSC, by law, performs an advisory function. If the group is properly organized and employed, the role of the NSC in the advisory function could lead to the appropriate transition planning, thus achieving the desired end-state in an effective and efficient manner; however, that has generally not been the case. The role of the NSC should be changed from an advisory function to one of accountability for national security policy, which includes assigning lead agencies to various transitions of the instruments of national power.

Historical perspective of the National Security Council

During the Truman Administration (1947-1953) the Department of State was the main driver behind the NSC for coordination of issues. That function moved to the Defense Department during the Eisenhower Administration (1953-1961). In the Kennedy Administration (1961-1963) the distinction between policy making (State Department lead) and operations (Defense Department lead) eroded, with President Kennedy more likely to hold ad hoc policy meetings than use the formal NSC. During the Johnson Administration (1963-1969) the NSC continued to atrophy, because President Johnson relied on trusted friends and his National Security Adviser to formulate interagency policy. Under the Nixon (1969-1974) and Ford (1974-1977) Administrations, the National Security Adviser, Department of State, Department of Defense, and Department of Treasury became more involved; however, Henry Kissinger, as Secretary of State, found his department and the NSC performing both the policy making and implementation. In the

Carter Administration (1977-1981) the NSC suffered a slight relapse in the IAP arena with the National Security Adviser being used for primarily executive ideas and public advocacy. The Reagan Administration (1981-1989) delegated the NSC role to the White House Chief of Staff, which later in the administration became a separate entity and contended with the NSC. During the Bush Administration (1989-1992) the NSC was elevated once again to the role as primary adviser to the President on interagency issues. With the Clinton Administration (1993-1997) came an expansion of the NSC to include the U.S. Ambassador to the United Nations, Department of Treasury, National Economic Council, the President's Chief of Staff, and the President's National Security Adviser. The George W. Bush Administration (2001-present) relies on the NSA and NSC, with the Department of Defense having heavy involvement with planning and operational execution of foreign policy issues.

Current National Security Council Organization

By law, the NSC comprises six mandatory members: President, Vice President, Secretary of State, Secretary of the Treasury, Secretary of Defense, and Assistant to the President for National Security Affairs. The Director of Central Intelligence and Chairman of the Joint Chiefs of Staff also attend as statutory advisers to the NSC.⁸ However there is no standard IAP flow diagram (organization structure) since the process is administration dependant and changes with each. Under the current administration, the NSC is a system organized by committees per National Security Presidential Directive (NSPD)-1.⁹ At the top of the committee structure is the Principals Committee (NSC/PC), supported by the Deputies Committee (NSC/DC). Below the NSC/DC lie the NSC Policy Coordination Committees (NSC/PCCs), which are multiagency arenas where National Security Policy is developed and implemented. Each PCC is chaired by an official of the State Department (under secretary or assistant secretary level) as designated by the

Secretary of State. The PCCs are broken into regions and functions. The six regional NSC/PCCs are as follows:

Europe and Eurasia	Western Hemisphere
East Asia	South Asia
Near East and North Africa	Africa

The eleven functional areas, chaired by an under secretary or assistant secretary from a specific department, are as follows:

- Democracy, Human Rights, and International Operations (Chair: Assistant to the President for National Security Affairs)
- International Development and Humanitarian Assistance (Chair: Secretary of State)
- Global Environment (Chair: Assistant to the President for National Security Affairs and Assistant to the President for Economic Policy in concert)
- International Finance (by Secretary of the Treasury)
- Transnational Economic issues (Chair: Assistant to the President for Economic Policy)
- Counterterrorism and National Preparedness (Chair: Assistant to the President for National Security Affairs)
- Defense Strategy, Force Structure, and Planning (Chair: Secretary of Defense)
- Arms Control (Chair: Assistant to the President for National Security Affairs)
- Proliferation, Counterproliferation, and Homeland Defense (Chair: Assistant to the President for National Security Affairs)
- Intelligence and Counterintelligence (Chair: Assistant the President for National Security Affairs)

- Records Access and Information Security (Chair: Assistant to the President for National Security Affairs)

In addition, a Trade Policy Review Group (TPRG) functions as an interagency coordinator of trade policy.¹⁰ Issues considered within the TPRG, as with the PCCs, flow through the NSC.

In theory, NSPD-1 describes a mechanism for successful execution of national policy by providing for interagency representation and a proper forum for recommendations on transition policy and planning, including who should be responsible and accountable before, during, and after transition. But in practice, the personalities and issues associated with those assigned to the functional areas result in a process that deviates from theory. Essentially IAP execution falls short of NSPD-1 by not assigning specific authority and responsibility to appropriate subject matter agencies for planning and execution of policy.

Regardless of the personalities, proper transition necessitates two major facets of responsibility and accountability. First “identify all agencies, departments, and organizations that are or should be involved in the operations.”¹¹ Second, “define the desired end state and exit criteria”¹² so that all agencies—of the U.S. Government and other pertinent organizations—have a common understanding. Neither NSPD-1 nor the joint publication on interagency cooperation (Joint Pub 3-08 Vols. I & II) assign specific responsibilities.

Operationalizing the IAP

The complexity of international policy and cooperation make it essential that the role of the interagency process be effective. Transition periods define the appropriate points for agencies with specific expertise to take a leading role or fall into a supporting role in the process and ultimately determine when the U.S. Government can consider that the end-state has been achieved. In some cases that could be years. During the process, unity of effort is the key to a successful IAP; however, unity of command cannot be neglected or else accountability will be unattainable. The balance of effort and accountability becomes more important as the operational complexity and number of interagency and multinational members increase. In either case a lead agent is needed during each phase for effective operations. That agent must coalesce the interagency expertise that does not reside in any single organization, and must phase capabilities together at the appropriate times while managing all the instruments of national power (diplomatic, informational, military, and economic). What is needed is clarity, not strategic ambiguity; more unity of effort and unity of command instead of domineering command; and efficient yet effective use of resources, not working at cross-purposes to achieve the desired ends.¹³ The Department of State is best suited to be legislatively assigned that role, since all other instruments of national power are used in supporting roles to achieve and maintain national security.

Obviously the President is ultimately responsible for U.S. actions, but realistically, execution accountability must be delegated. A case in point is the ongoing discussions regarding President Bush's State of the Union speech in which he referred to an African state as supporting Saddam Hussein with weapons of mass destruction.¹⁴ That appears to not be the case at the moment, but responsibility and accountability for the information in the statement is of concern. Was the Central Intelligence Agency responsible for the information? The National Security Ad-

viser's office? Or even the President? All had a role and some responsibility. But even admission of using inaccurate information, reported through national news media, by Director of the CIA George Tenet, and of failing to perform adequately by Deputy National Security Adviser Hadley doesn't seem to be acceptable to some people. Ultimately the President is accountable and responsible for his statements; however, following that theorem to its logical conclusion, the President would have to do everything. That is unrealistic, for the roles of the leaders within the executive branch and the functions of the staff are essential in the process. Responsibility and delegating appropriate accountability are essential to the overall execution of national policy. The President appoints for designated positions as executive agents key people who are responsible and accountable with legislative, judicial, and public checks and balances for maintaining democratic rule of governance.

If the individuals appointed to key positions do not perform to the standard expected by the country, then a review of the checks and balances (the process and the legislation) is necessary. When change is required, either changing the political process or legislating change can be used. Political pressure is usually short lived, because it changes with each new administration. Legislation is a more enduring solution. Recent international events have exposed strengths and weakness in the current IAP which can be viewed as catalyst for change. Change to the IAP is necessary to provide an organization which is more accountable, less personality and politically motivated, and enhances unity of effort to achieve National Security Policy goals.

Operations Iraqi Freedom and Enduring Freedom: IAP Shortfall and Priorities

Two recent military operations, Operation ENDURING FREEDOM (OEF) and Operation IRAQI FREEDOM (OIF) are good examples for comparison to illustrate the shortcomings of the IAP and support the call for change. OEF changed quickly from a primarily U.S. Gov-

ernment initiative with a plan for reaching conflict resolution to a multinational coalition enacting the U.S. transition plan under the support of the UN. OIF, although more recent, appears to have lacked an effective transition plan or execution of one. Analysis of these operations can lead to an evaluation of the effectiveness and shortfalls of the IAP functions.

Immediately after Sept. 11, 2001, President Bush led an interagency campaign combining U.S. instruments of national power while gaining international cooperation and resources. As portrayed in *Bush at War*,¹⁵ the NSC used the IAP to bring U.S. financial, diplomatic, and information assets into the campaign initially, while military courses of action were refined. Relying on an IAP approach in multinational efforts, the United States quickly built a coalition of 70 countries that contributed to defeating the Taliban government and worked to achieve creation of several mechanisms to bring about specific change: the Bonn Conference to begin reconstruction; the Afghan Transitional Authority to establish an Afghan democratic government; passage of United Nations Security Council Resolution (UNSCR) 1386 creating the International Security Assistance Force (ISAF) to provide security in Kabul and training for initial Afghan security forces; and the International Conference on Reconstruction in Afghanistan that raised \$4.5 billion in pledges. Beginning without any plan for Afghanistan, the administration used an IAP approach to accomplish the above results in roughly four months.

President Bush reaffirmed Afghanistan's importance in September 2002. Stressing an interagency approach in the National Security Strategy (NSS) and referring to Afghanistan in four sections, he emphasized the need to work with international and nongovernmental organizations, and other countries "to provide the humanitarian, political, economic, and security assistance necessary to rebuild Afghanistan so that it will never again abuse its people, threaten its neighbors, and provide a haven for terrorists."¹⁶

However, during initial OEF planning, NSC decisions for interagency responsibilities laid the groundwork for the current conditions in an unstable Afghanistan. A statement typical of President Bush during NSC discussions for OEF is: “Look, I oppose using the military for nation building. Once the job is done, our forces are not peacekeepers. We ought to put in place a U.N. protection and leave,....”¹⁷ As *Bush on War* describes the IAP, the Department of Defense was appointed lead agency for OEF with the primary mission for the military campaign being to hunt Osama bin Laden and defeat Al Qaeda, other terrorists, and the Taliban. In the NSC, reconstruction of Afghanistan and the security of a new Afghan government were secondary missions and deemed appropriate for a multinational effort. That approach is appropriate if the lead agency accomplishes what it does best and allows other agencies to move into the lead as phases relate to their functional expertise. Since the campaign to defeat Al Qaeda and the Taliban has never been won, the Defense Department remains the lead agency for the IAP, and works its priorities, but does not lead in ensuring that other agencies’ goals are achieved.

IAP Shortcomings

In mid-2002, the U.S. Department of State accurately identified key problems threatening the success of Afghan reconstruction, but an IAP approach to correct these problems was not initiated. The Defense Department is not in the reconstruction business and therefore the plan is designed to fail as long as Defense leads non-Defense functions. In June, UN General Assembly members issued dire warnings that the lack of security, increasing opium production, and insufficient resources for reconstruction threatened Afghan recovery. At that session, U.S. Ambassador Williamson stated that Afghanistan’s requirements were larger than previously anticipated and humanitarian emergencies absorbed funds intended for recovery programs.¹⁸ In July, USAID Administrator Andrew Natsios pointed out that of Afghanistan’s four functioning

economies (drugs, war, humanitarian aid, and agriculture), only agriculture supports recovery.¹⁹ Yet, applicable U.S. agencies such as State, DEA, and Commerce were not sufficiently engaged in an IAP to prevent degradation of the situation in Afghanistan. Despite such warnings, U.S. assistance for Afghanistan did not increase compared to need, and decreased compared to U.S. commitments elsewhere, particularly Iraq. That illustrates that lack of unity of effort and no appropriate accountability have eroded the success of OEF.

With respect to the security of the fledgling Afghan government, the administration worked with the UN through the IAP to establish the ISAF, with the UN coordinating ISAF operations.²⁰ Meanwhile the United States has used its troops to chase Al Qaeda. The U.S.-brokered arrangement has failed to meet security requirements, and apparently disproves the U.S. assertion of strong support to Afghanistan, considering that 139,000 troops have been subsequently allocated for duty in Iraq. The United States has not succeeded in finding Osama bin Laden nor defeating Al Qaeda and Taliban. In fact, the disengagement of key military assets before completing OEF has occurred due to the Bush Administration's determination to launch OIF and give it priority. Intelligence experts claim over half of many vital, scarce, linguistic and intelligence resources supporting OEF were withdrawn for OIF needs. In addition, with a rise in terrorism in Iraq during summer 2003, more intelligence officers and commandos were transferred from OEF to OIF.²¹ Rand Beers, who handled terrorism subjects for the NSC until March 2003, said the Bush Administration downplayed OEF to emphasize Iraq as the main front.²² Again, assigning a single department to an end-to-end task for which it is not designed leads to difficulties because of focus on priorities, personality interplay, and partisan decisions.

Although the original OEF plan was followed, the conditions in Afghanistan in August 2003 indicate the plan has not succeeded, and a new IAP for OEF is required. Increased Taliban

activity, including raids against Afghan troops and police, terrorist attacks targeting aid workers,²³ and the capture of the Zabol province,²⁴ along with increased production of illicit drugs and a surge in organized crime, have undermined the stability of Afghanistan.²⁵ As a result, Taliban recruitment is on the rise and loyal Afghan troops are deserting due to lack of pay.²⁶ Currently, the main Afghan crisis areas are regional security, narcotics trafficking, and reconstruction. In these areas, the OEF lead agency, Defense, either is not the agency of expertise or views a non-U.S. entity as responsible. Obviously the shift in the priority to OIF has had a detrimental effect on OEF despite initial NSC emphasis on the IAP.

As in OEF, the Department of Defense has led the IAP in planning and executing OIF. After over a decade of negotiations, hostile actions and numerous UN Security Council resolutions that did not resolve the issue of Iraqi WMD programs,²⁷ President Bush, Vice President Cheney, and many senior administration officials, particularly in the Defense Department, opted for military measures against Iraq. However, many allegations exist indicating intelligence on Iraqi WMD programs was packaged to support the administration's anti-Iraq position and violated the entire IAP concept.²⁸ Two advocates of war with Iraq (Deputy Defense Secretary Paul Wolfowitz and Under Secretary of Defense for Policy Douglas Feith) set up the Office of Special Plans as a Pentagon intelligence cell to investigate Iraq's WMD programs and links to Al Qaeda.²⁹ After six months of searching for WMD evidence, the limited results bolster foreign government positions that Iraq had been deterred and posed no imminent threat and that U.S. intelligence on Iraqi WMD was false. In addition, senior defense officials accepted and built assumptions, such as that the Iraqi populace would support a U.S. invasion that ousted the Saddam Hussein regime, on intelligence from their in-house sources instead of using the IAP to sort and deconflict all available intelligence. For example, both the CIA and DIA gave NSC members

reports indicating that armed resistance and guerrilla tactics would hamper reconstruction efforts following formal war in Iraq, which has been proven accurate.³⁰ Therefore, failure to properly manage intelligence through the IAP and using the flawed results to support international initiatives directly undermined U.S. credibility and undercut the U.S. diplomatic instruments of power.

The IAP process failed to plan adequately for Iraq's recovery, and the Defense Department failed to follow its doctrine. As Joint Publication 3-0 states: "Before forces are committed, JFCs must know how the NCA intend to terminate the operation and ensure its outcomes endure, and then determine how to implement that strategic design at the operational level."³¹

In August 2002, Chief of Staff Andrew H. Card, Jr., formed the White House Iraq Group to develop strategy for the confrontation with Iraq, and, on September 12, President Bush stated before the UN that the United States would act against Iraq unilaterally if necessary.³² The Department of Defense, lead agent for OIF, was busy developing courses of action and began campaign planning over a year before the war began.³³ However, NSPD 24, the directive to establish the Office of Reconstruction and Humanitarian Assistance (ORHA) and the follow-on Coalition Provisional Authority (CPA), was not issued until January 2004, four months after the President's declaration of intent against Iraq before the UN. With no more than 200 staffers and only two months to prepare, Jay Garner, the head of ORHA, complained that ORHA never had the resources or time necessary to run a country of 24 million.³⁴ When Baghdad fell during the war, the Defense Department did not allow ORHA to enter Iraq for two more weeks, claiming security reasons, and did not provide basic needs such as telephones, vehicles, and interpreters.³⁵ Once more, the IAP can be seen as fundamentally flawed for its lack of unity of effort and lack of proper authority and accountability.

The bottom line is that the IAP failed with the Department of Defense as the sole agency for all operations, which required expertise that was beyond its charter. The Department of Defense also failed by not integrating the IAP expertise and better defining the end-state that should have included multinational support with UN mandates. Many other examples could be cited. Regardless of the justification for decapitating the Saddam Hussein regime and the outstanding military campaign that brought about its demise, the delegation of a single lead agent for all phases usurped the IAP, which executed policy based on inaccurate assumptions and intelligence that degraded relations with many allies, required billions of U.S. dollars alone to be committed monthly, directly degraded OEF's war on terrorism (which is the #1 priority), and, given growing terrorist attacks in Iraq and elsewhere, apparently provided a catalyst for possibly recruiting thousands to terrorist organizations worldwide

OEF and OIF are the most current U.S. engagements, organized and executed differently, but having the same fundamental flaw that has increased cost, effort, and time. The military force application aspect of the IAP has worked well in OEF and worked in OIF despite the lack of broad international military support. In both operations, it appears that the post-military transition was weak to nonexistent, and could result in mission failure due to the priorities of the lead agent—namely, the Department of Defense. The organization of the IAP and accountable leadership vested in departments with appropriate expertise could have prevented the flaws and internal policy conflict that is apparent in those operations.

Redefining the IAP: Goldwater-Nichols as a model

In pursuing its international objectives, the United States must take into account the multiple and often competing intentions and interests of other governments and organizations, public opinion, Congress, and other US Government agencies, as well as resource constraints. The intersection of domestic and foreign issues

has expanded to affect every American and involve virtually the entire US Government. Successful US foreign policy depends on recognizing the conditions that are likely to prevail in the new and evolving international context, including: Multiple conflicts, crises, and threats—many of them transnational—rather than a single overriding challenge, will continue to emerge and may increase in frequency. While these may be small or localized in nature, they will frequently have potential for wider impact. These challenges will require determination, resources, and time to resolve.³⁶

- Department of State Strategic Plan (2000)

Since the end of the Cold War, and most recently in OEF and OIF, increased interconnectivity and more complexity in foreign affairs brought about by the growth of globalism have caused the lines between warfighting and peacekeeping to become merged so that the role of the interagency process has become ever more important when moving through the various phases in policy execution. Historically, effective transition during conflict is at best neutral due to the differences in the politics, personalities, and organizational relationships between the Department of Defense and other agencies that function in the government.

During a National Defense University-sponsored symposium on Goldwater-Nichols legislation, participants turned to discussion of the Defense Department interagency coordination. “The participants found these [interagency coordination] abilities wanting...and focused on how the joint force would interact with non-DOD agencies and organizations.”³⁷ The next step in the evolution of U.S. international relations is a refined IAP, which provides for a more effective transition in the leadership role between phases. Such change (including legislative amendments) would build an organization with unity of effort through better accountability.

The Defense Establishment, executive branch, and Congress wrestled with similar command and control issues focused on the military from the end of World War II through the 1970s, contemplating legislation to define and mold a unified joint military apparatus. There was little change in the basic military structure beyond the 1947 Defense Reorganization Act until the

early 1980s saw a bitter, political battle fought in the halls of Congress and the Pentagon. The result was the Goldwater-Nichols Act of 1986, realigning the military organization and the DOD. Since then, the Services and Joint Staff have worked to attain a level of joint integration unparalleled in history. The result is an effective fighting force, focused on unity of command and effort and committed to the higher goals of national security rather than on political and parochial Service-specific issues.

In 1981, General David Jones, U.S. Air Force, serving as Chairman of the Joint Chiefs of Staff, embarked on a campaign to reorganize the military forces to better serve the United States. The four disparate Services were stove-piped, and each Service had its own means of warfare and fought with the other Services for resources, operations, and in providing advice to the President. With the changing nature of war in the latter part of the twentieth century, visionaries such as General Jones, Senators Barry Goldwater and Sam Nunn, Congressman Bill Nichols, professional staffers like James Locher, and many politicians and military veterans saw a need to bring the Services together. Recognizing that each Service had a specific function in the employment of arms, and understanding that the synergistic effect of bringing these forces together in a unified manner would enhance future operations, dialogue began on restructuring the Department of Defense.

Prior to the Goldwater-Nichols Act, the Service Chiefs and Chairman of the Joint Chiefs of Staff (CJCS) were on roughly equal footing, advising the National Security Council and President on military-related matters. From World War I through the early 1980s, each administration wrestled with the defense organization with varying degrees of success. The role of the civilian Service Secretaries, as well as that of the Service Chiefs and Joint Staff, was in a state of flux, with the functions and lines of authority never fully integrated. Following a heated and

stormy debate of almost five years, legislation was passed to reorganize the Department of Defense, strengthening the authority and accountability of the CJCS and combatant commanders while allowing the Services to retain their unique functions and missions. The results included making CJCS the principal adviser to the President. In addition, under the Goldwater-Nichols Act, CJCS was made responsible for strategic planning, education in joint matters, and establishing joint doctrine to codify how the joint Services should work together. The Services retained the responsibility for manning, equipping, and training their respective forces, while the combatant commands were given increased authority for operations throughout the world.

Importance of Goldwater-Nichols

The importance of the Goldwater-Nichols legislation cannot be overstated, with the overarching achievement being to “improve the ability of the President and the Secretary of Defense to make correct security decisions based on clear, direct, and sound military advice, and create a joint, unified military fighting force, unhindered by service rivalry and self-interests.”³⁸ Through continued education and training and in exercises around the world, each Service has learned to work hand-in-hand with the others, and they have evolved into a unified, potent fighting force able to fight and win the nation’s wars. Using that realignment of the military as a foundation, the IAP could benefit from similar legislation, with the achievement being that it would...

Improve the ability of the President and the National Security Adviser to make correct security decisions based on clear, direct, and sound advice across the executive departments, and create a joint, unified interagency force, unhindered by departmental rivalry and self-interests.

Across the expanse of the executive branch, Congress, and various NGOs, there are vast differences in the operations and functions in which each element is engaged. The culture of the Department of State is very different from that of the military, and the Department of Defense culture, leadership, and actions are different from those that NGOs provide, yet each organiza-

tion brings many strengths and ideas to the international arena. The military has a role in providing security and can assist in many civil affairs functions, but as shown in OEF and OIF, much more needs to happen in the transition following conflict that lies beyond the means of the military and extends to the interagency organization.

Lessons can be applied from the Goldwater-Nichols debates when discussing the IAP. At the heart of the problem lies a difference in culture and the personalities of the leaders of the various components of the IAP operating in an environment that is political and based on the desires of executive department policies. In addition, executive departments are often not focused on the national interests but on parochial department desires. When focused on conflict termination, the lack of a congruent policy delineating the functions and authority of the agencies involved in the transition planning leaves planners open to the potential for miscommunication, the whims of a strong-willed personality, or abdication of responsibility so as not to be held accountable should failure occur.

During the Congressional hearings debating the Goldwater-Nichols reorganization, there was much discussion that legislation was not required. The arguments of the DOD and Joint Chiefs of Staff focused on the effect of the leadership working together to accomplish joint war-fighting and provide the President with the best advice. However, the bottom line remained that the Service Chiefs were parochial and the result of the “joint” advice remained a product that was compromised to achieve consensus and did not necessarily lead to the best advice, resulting in an ineffective joint environment. Furthermore, the military organization before Goldwater-Nichols legislation was prone to change based on the personalities and parochialism of the leaders, who were changing regularly. A lack of unity of command and unity of effort was the baseline for operations.

The role of the interagency community becomes even more complex than that of the inter-military forces during transition planning and needs even greater unity of command and effort. The Departments of State and Defense are in the leading roles during conflict termination and transition to peace phases of an operation, with no clear direction on lead and supporting roles. Once the conflict has terminated and transition has begun, the State Department should be the designated agency to lead the planning and execution. Planning is the key component of effective transition and the State Department must step up to the plate early to execute its role orchestrating the use of the elements of national power, thus facilitating a solid transition plan. At the same time, the DOD planners must realize that DOS has the authority and is by virtue of its roles and missions the natural lead agent in planning and executing the transition from military application to diplomatic and economic stability.

The State Department, as the leading government agency for foreign operations, coordinates the elements of national power, as stated in the Department of State strategy:

US diplomacy is an instrument of power, essential for maintaining effective international relationships, and a principal means through which the United States defends its interests, responds to crises, and achieves its international goals. The Department of State is the lead institution for the conduct of American diplomacy, a mission based on the role of the Secretary of State as the President's principal foreign policy adviser. In order to carry out U.S. foreign policy...**the Department of State...exercises policy leadership, broad interagency coordination, and management of resource allocation for the conduct of foreign relations** [Bold highlight added for emphasis.]...³⁹

This strategy is in keeping with the traditional dictums of Clausewitz whose principals of strategy remain relevant today.

Conclusion

The effects of globalism and the rise of an interconnected, international society tighten the dynamics of the “remarkable trinity” linking the people, the commander and his army, and

the government.⁴⁰ Many recent essays and addresses recognize the need for coherent and effective interagency cooperation. James Locher, the backbone for the Goldwater-Nichols legislation stated that “...the ability of the pentagon to execute assigned missions now depends to a greater extent on the contributions of other departments and agencies.”⁴¹ In light of the arguments that faced the supporters of the Goldwater-Nichols legislation, perhaps the time has come to pursue similar actions dealing with the IAP. With the emphasis on rebuilding after conflict, it is imperative that the planning and execution across all agencies be united in effort and command to succeed. Clausewitz saw the intrinsic nature of the political and military union, as did Admiral Leighton Smith, U.S. Navy (Ret.), who saw the need for interagency reform in 1996 when he stated,

We had best sort out ways to improve the dialogue between the military and the political masters who will tell us to go, and the military and civil agencies, and the PVOs and NGOs, with whom we will work shoulder to shoulder on the front lines in sometimes difficult and dangerous environments.⁴²

As in the 1980s when the union of the joint Services could not be left to the leaders of the individual Services to master, today, the union of the interagency process likewise needs more formalized direction and guidance. A solid organizational structure of authority, interagency relationships, training and education, and solid liaison capacity is required to make the IAP more effective and provide solid direction for future generations. The result will yield better conflict termination and enhance the ability of the U.S. Government to conduct foreign policy.

The National Security Council is the natural place to vest the authority for the conduct of transition from military application to resumption of normal diplomacy. The Department of State is the logical agent to lead the post-conflict phase. “Not only does the Department of State’s mission emphasize policy and operations more than programs, its scope of responsibility for the coordination of foreign affairs covers virtually every other US Government agency, often

lacks specific legislative authorities, and involves the management of overseas missions.”⁴³

DOS is uniquely positioned to play a lead role, but as stated earlier, often lacks the legislative authority to accomplish the mission.

Former CJCS General John Shalikashvili, U.S. Army, echoes the need for addressing the interagency process: “...[I]n my view, the most important area for improvement...is the emergence of a broad reform movement focused on our national security structure and the entire interagency process.”⁴⁴ He continues by stating:

[P]roblems in the interagency arena today remind me very much of the relationship among the services in 1986. We need an agreed-on, written-down, well-exercised organization and a set of procedures to bring the full capability of the Department of Defense and all other relevant government departments and agencies to bear on the complex crises to which future presidents might commit us.⁴⁵

As the nation and the international community focus on the aftermath of Operations ENDURING FREEDOM and IRAQI FREEDOM, and contemplate the future of the world’s sole superpower, the time for serious dialogue and legislation on a reformed and unified interagency process is in order. The reformation should do the following:

1. Establish the NSC organization, sculpting a process that is codified in law, and not left open for executive branch interpretation
2. Codify the leadership, accountability, and authority based on the department that is the subject matter expert for a given operation or phase
3. Establish a means by which participants in the IAP are educated and trained so that unity of effort and unity of command can be realized based on a common understanding of the various actors in the process

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- ¹ Carl von Clausewitz, *On War*, ed. and trans. Michael Howard and Peter Paret (Princeton, NJ.: Princeton University Press, 1976), p. 605.
- ² The evolution of the Joint Staff and the structure of the U.S. Armed Forces are detailed in the U.S. Army Center of Military History study. Edgar F. Raines, Jr., and Major David R. Campbell, *The Army and the Joint Chiefs of Staff: Evolution of Army Ideas on the Command, Control, and Coordination of the U.S. Armed Forces, 1942-1985*, U.S. Army Center of Military History, Washington, D.C., 1986.
- ³ USATODAY.com, 7/21/2003, Barbara Slavin and Dave Moniz.
- ⁴ National Security Act of 1947, Congress Conference Committees, 1947.
- ⁵ National Security Act amendment of 1949, Congress Conference Committees, 1949.
- ⁶ White House/NSC web site.
- ⁷ National Security Act of 1947, Congress Conference Committees, 1947.
- ⁸ Joint Publication 0-2, *Unified Action Armed Forces (UNAAF)*, 10 July 2001.
- ⁹ The White House, National Security Presidential Directive (NSPD)-1, *Organization of the National Security Council System* February 13, 2001.
- ¹⁰ Ibid.
- ¹¹ Joint Publication 3-08 Volume I, *Interagency Coordination During Joint Operations*, n.p., 9 October 1996.
- ¹² Ibid.
- ¹³ Joint Forces Staff College, *Interagency Operations: Doctrine and Reality*, Major T.L. Clark, Major Patrick Dannels, Mr. D. Wayne Hill, Class 03-II, 12, 7 March 2003.
- ¹⁴ George W. Bush, "State of the Union Message," 28 Jan. 2003. On-line. Internet, 21 July 2003. Available at: <http://www.thisnation.com/library/sotu/2003gwb.html>.
- ¹⁵ Bob Woodward, *Bush at War*, New York: Simon & Schuster, 2002, pp. 32-194.
- ¹⁶ National Security Strategy of the United States of America. Washington D.C.: September 2002: p. 7.
- ¹⁷ Woodward, p. 237.
- ¹⁸ "Assembly, Urging Groups in Afghanistan to Renounce Violence and Respect Authority, Says Country Still Needs International Assistance." United Nations: Press Release GA/10115. On-line. Internet, 17 Aug. 2003. Available at: <http://www.un.org/News/Press/docs/2002/ga10115.doc.htm>.
- ¹⁹ Stephen Kaufman, "Afghan Reconstruction Conference Draws Afghan and U.S. Officials, July 25, 2002." On-line. Internet, 17 Aug. 2003. Available at: http://www.usis.it/file2002_07/alia/a2072608.htm.
- ²⁰ United Nations Security Council Resolution 1386 (2001), 20 Dec. 2001; UNSCR 1413 (2002), 23 May 2002; and UNSCR 1444 (2002), 27 Nov. 2002.
- ²¹ Bryan Bender, "U.S. Shifting Focus, Agents From Kabul To Baghdad," *Boston Globe*: 18 Aug. 2003. On-line. Internet, 19 Aug. 2003. Available at: <https://ca.dtic.mil/cgi-bin/ebird.cgi>.
- ²² Jane Mayer, "The Search for Osama: Did the government let bin Laden's trail go cold," *The New Yorker*, (4 Aug. 2003): pp. 26-34.
- ²³ Amy Waldman, "Over 50 Die In Day Of Afghan Violence," *New York Times*, (14 Aug. 2003): pp. A1+.

²⁴ An alliance of the Taliban, al Qaeda, and Hizb-I-Islami defeated Afghan militia to capture most of Zabol province, the first province regained since the Taliban government fell in 2001. "Taliban Makes Gains Against Afghan Government," *STRATFOR*, 07 Aug. 2003. On-line. Internet, 11 Aug. 2003. Available at: <http://www.stratfor.biz/Print.new?storyId=220873>.

²⁵ Organized crime took control of the drug trade in 2002 and is increasing refinement of opium to heroin prior to shipment. "The Afghan plague: The rising tide of heroin feeds social ills and undermines the state," *The Economist*, (26 Jul 2003): pp. 14-15.

²⁶ *STRATFOR*.

²⁷ "Timeline of UN-Iraq-Coalition Incidents, 1991-2002." On-line. Internet, 27 July 2003. Available at: <http://usinfo.state.gov/products/pubs/iraq/timeline.htm>.

²⁸ Barton Gellman and Walter Pincus, "Depiction of Threat Outgrew Supporting Evidence." *Washington Post*, (10 Aug. 2003): 1; David Remnick, "Faith-Based Intelligence," *The New Yorker*, (28 July 2003): pp. 27-29.

²⁹ Patrick Seale, "A Costly Friendship," *The Nation*, (21/28 July 2003): pp. 39-44.

³⁰ Bryan Bender, "CIA warned administration of postwar guerilla peril," *Boston Globe*, (10 Aug. 2003): p. A25; Peter Slevin and Dana Priest, "Wolfowitz Concedes Iraq Errors," *Washington Post*, (24 July 2003): pp. A01+.

³¹ Joint Publication 3-0. *Doctrine for Joint Operations*. 10 September 2001, p. III-24.

³² Gellman and Pincus, p. 1.

³³ Jessica Tuchman Mathews, "Now for the Hard Part," *Foreign Policy*, (July/August 2003): p. 51.

³⁴ Max Boot, "Washington Needs a Colonial Office," On-line. Internet, 14 Aug. 2003. Available at: <http://24.104.35.12/Content/Public/Articles/000/000/002/8671qbsv.asp>.

³⁵ Slevin.

³⁶ U.S. State Department Strategic Plan (2000), Office of Management Policy and Planning, 25 October 2000, p. 7.

³⁷ Dennis J. Quinn, ed., *The Goldwater-Nichols DOD Reorganization Act: A Ten-Year Retrospective*, Washington D.C.: National Defense University Press, 1999, p. xii

³⁸ *Ibid*, p. xi

³⁹ The State Department mission statement lists 12 major areas of focus in carrying out foreign policy. Elements not directly related to DOD functions have not been listed. U.S. State Department Strategic Plan (2000), Office of Management Policy and Planning, 25 October 2000, p. 3.

⁴⁰ Clausewitz discusses the tendencies of war as a remarkable trinity composed of blind natural force [Violence, hatred, and enmity], chance and probability where creativity of the spirit is free to roam, and subordination, as instrument of policy...these elements are linked to and concern the people, the commander and army, and the government. Carl von Clausewitz, *On War*, ed. and trans. Michael Howard and Peter Paret (Princeton, NJ.: Princeton University Press, 1976), p. 89.

⁴¹ James R. Locher, "Building on the Goldwater-Nichols Act." *The Goldwater-Nichols DOD Reorganization Act: A Ten-Year Retrospective*. Dennis J. Quinn, ed., Washington D.C.: National Defense University Press, 1999, p. 21

⁴² Admiral Smith served as Commander European Command and is well versed on the intricacies of the interagency process through actions such as Kosovo operations. Leighton W. Smith, Jr., "A Commander's Perspective." *The*

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⁴³ U.S. State Department Strategic Plan (2000), Office of Management Policy and Planning, (25 October 2000): p. 100.

⁴⁴ John M. Shalikashvili, “Goldwater-Nichols Ten Years for Now,” *The Goldwater-Nichols DOD Reorganization Act: A Ten-Year Retrospective*. Dennis J. Quinn, ed., Washington D.C.: National Defense University Press, 1999, p. 73.

⁴⁵ *Ibid*, p. 74.

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Team Biographies

Lieutenant Colonel Edward W. Loxterkamp, USAF. Colonel Loxterkamp is currently assigned to the Office of the Secretary of Defense, Advanced Systems and Concepts. He was commissioned through a four-year ROTC scholarship at the University of Cincinnati in 1983. Colonel Loxterkamp earned a Master of Business Administration degree from the University of Phoenix at Denver in 1989. Prior to his current assignment, Colonel Loxterkamp served as the Executive Officer for the Associate Director of the Central Intelligence Agency for Military Support, Langley, Virginia.

Lieutenant Colonel Michael F. Welch, USAF. Colonel Welch is currently assigned to NATO Reaction Force Air Staff, Kalkar, Germany. He was commissioned through Officer Training School in 1983. Colonel Welch earned a master's degree in systems management from the University of Southern California and a master's in history from the University of Alabama. Prior to his current assignment, Colonel Welch served as Deputy Commander, 607th Air Support Group, Osan AB, Republic of Korea.

Commander Richard Gomez, USN. Commander Gomez is currently en route to assignment as Combat Direction Center Officer onboard USS *Theodore Roosevelt* (CVN-72). He was commissioned through the United States Naval Academy in 1986. Commander Gomez earned his master's degree in strategic studies from Air University. Prior to his current assignment, Commander Gomez served as Chief Staff Officer, Airborne Early Warning Wing, U.S. Atlantic Fleet.